



County of San Diego

Ruben Torres
Creative Manager
Legacy International Resort and Spa
875 Hotel Circle
San Diego, CA 92108

Re: CEASE AND DESIST HEALTH ORDER VIOLATIONS

Dear Mr. Torres,

I am in receipt of an advertisement for an "election night watch party" at the Legacy International Resort and Spa this evening from 7 p.m. to 11 p.m. The event advertises:

- Networking
- A cash bar
- A cost of \$25 per person
- Hotel rooms at \$99/night
- On-site parking at \$10
- Optional dinner at Theresa's Italian Steakhouse

At least 500 people are expected to attend this party and that it will be held both indoors and outdoors. Although this event is alternatively referred to as a peaceful protest, it is advertised as, and has the components of, a private catered party.

As you are aware, bars are not permitted. Alcohol may only be served in restaurants with full meal service. Restaurants must comply with State and local health orders, and applicable industry guidance issued by the California Department of Public Health and CalOSHA. Currently, restaurants such as Theresa's Italian Steakhouse may be open at 25% indoor capacity. *COVID-19 INDUSTRY GUIDANCE: Restaurants, Bars, and Wineries* states: "All events or gatherings that would bring together persons from different households, such as private parties, must be cancelled or postponed until further notice."

If a political protest is held—without food or beverage service—it must be in conformance with State guidance. The following are applicable guidelines from the California Department of Public Health:

- In-person protests and rallies present special public health concerns for high risk of COVID-19 transmission.

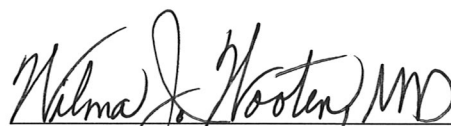
- Even with adherence to physical distancing, bringing members of different households together to engage in in-person protests and rallies carries an especially high risk of widespread transmission of COVID-19.
- People engaging in these activities must wear face coverings at all times.
- Persons in attendance must maintain a physical distance of at least 6 feet between persons or groups of persons from different households at all times.
- State public health directives do not prohibit in-person indoor protests and rallies as long as (1) attendance is limited to 25% capacity, (2) physical distancing of at least 6 feet between persons or groups of persons from different households is maintained at all times, and (3) singing and chanting activities are discontinued. Face coverings must be worn at all times.

In addition, as a hotel you must comply with “*COVID-19 INDUSTRY GUIDANCE: Hotels, Lodging, and Short-Term Rentals.*” As such, this guidance states that “meeting venues, banquet halls, or convention centers must keep those establishments closed until allowed to resume modified or full operation.”

The California Department of Public Health and CalOSHA has issued this guidance not only for the health and safety of your guests, but for the safety of your employees, and the community at large.

I appreciate the impact these restrictions have on your business. However, as the responsible party for your facility, it is your duty to ensure that the Orders’ are complied with. If you do not comply, necessary actions will be taken to enforce the Orders. Failure to comply may result in criminal misdemeanor citations with a \$1,000 fine for *each* violation. In addition, if violations continue, I may issue an order closing this establishment.

Date: November 3, 2020



 Wilma J. Wooten, M.D., M.P.H
 Public Health Officer
 County of San Diego

cc: City of San Diego